

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MEGAN VILLELLA, Individually and on	:	Civil Action No. 1:15-cv-02106-ER-GWG
Behalf of All Others Similarly Situated,	:	(Consolidated)
	:	
Plaintiff,	:	<u>CLASS ACTION</u>
	:	
vs.	:	LEAD PLAINTIFF’S NOTICE OF MOTION
	:	FOR THE ISSUANCE OF LETTERS
CHEMICAL AND MINING COMPANY OF	:	ROGATORY TO SUBPOENA FOREIGN
CHILE INC., et al.,	:	THIRD PARTIES
	:	
Defendants.	:	
	:	
	X	

PLEASE TAKE NOTICE that, pursuant to Rule 28(b) of the Federal Rules of Civil Procedure and 28 U.S.C. §1781(b)(2), Lead Plaintiff the Council of the Borough of South Tyneside Acting in Its Capacity as the Administering Authority of the Tyne and Wear Pension Fund (“Lead Plaintiff”) respectfully moves this Court to issue letters rogatory for the purpose of issuing subpoenas to Wayne R. Brownlee and Nutrien Ltd.,¹ two Canadian third parties that possess material information highly relevant to the claims at issue in this action. This Motion is based on the accompanying memorandum of law, the Declaration of John H. George in Support of Lead Plaintiff’s Motion for the Issuance of Letters Rogatory to Subpoena Foreign Third Parties (filed herewith), the files and records in this case and any other pertinent matters the Court may consider.

DATED: April 20, 2018

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& DOWD LLP
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JOHN H. GEORGE

s/ John H. George
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¹ On January 1, 2018, Potash Corporation of Saskatchewan Inc. (“Potash”) merged with Agrium Inc. to form Nutrien Ltd. Because Potash was the entity that appointed several members to Defendant’s Board of Directors and issued statements related to the facts of Lead Plaintiff’s claims, Lead Plaintiff refers to Potash in the accompanying memorandum of law.

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CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2018, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 20, 2018.

s/ John H. George

JOHN H. GEORGE

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Mailing Information for a Case 1:15-cv-02106-ER Villella et al v. Chemical & Mining Co. of Chile Inc. et al

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